



Your business
is our business.

REDACTED – FOR PUBLIC INSPECTION

7852 Walker Drive, Suite 200
Greenbelt, Maryland 20770
phone: 301-459-7590, fax: 301-577-5575
internet: www.jsitel.com, e-mail: jsi@jsitel.com

October 11, 2013

By Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: WC Docket No. 10-90, WC Docket No. 11-42
2013 ETC Annual Report of Consolidated Telecom
Study Area Code 381607**

Dear Ms. Dortch:

On behalf of Consolidated Telecom “Consolidated”, JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission’s rules.¹ Consolidated seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.² The redacted version is also being filed this date via the FCC’s Electronic Comment Filing System.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

¹ 47 C.F.R. §§ 54.313, 54.422.

² *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

| | |
|---|---|
| FCC Form 481 - Carrier Annual Reporting Data Collection Form | FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013 |
|---|---|

| | |
|---|----------------------------|
| <010> Study Area Code | 381607 |
| <015> Study Area Name | CONSOLIDATED TELCOM |
| <020> Program Year | 2014 |
| <030> Contact Name: Person USAC should contact with questions about this data | Ken Weisenberger |
| <035> Contact Telephone Number: Number of the person identified in data line <030> | 7014837376 |
| <039> Contact Email Address: Email of the person identified in data line <030> | ken@consolidatedtelcom.com |

| ANNUAL REPORTING FOR ALL CARRIERS | 54.313 Completion Required | 54.422 Completion Required |
|---|-------------------------------------|-------------------------------------|
| <100> Service Quality Improvement Reporting (complete attached worksheet) | (check box when complete) | |
| <200> Outage Reporting (voice) (complete attached worksheet) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <210> <input checked="" type="checkbox"/> <-- check box if no outages to report | | |
| <300> Unfulfilled Service Requests (voice) | <input checked="" type="checkbox"/> | |
| <310> Detail on Attempts (voice) | <input checked="" type="checkbox"/> | |
| <320> Unfulfilled Service Requests (broadband) | <input type="checkbox"/> | |
| <330> Detail on Attempts (broadband) | <input type="checkbox"/> | |
| <400> Number of Complaints per 1,000 customers (voice) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <410> Fixed | | |
| <420> Mobile | | |
| <430> Number of Complaints per 1,000 customers (broadband) | <input type="checkbox"/> | |
| <440> Fixed | | |
| <450> Mobile | | |
| <500> Service Quality Standards & Consumer Protection Rules Compliance (check to indicate certification) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <510> 381607nd510 (attached descriptive document) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <600> Functionality in Emergency Situations (check to indicate certification) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <610> 381607nd610 (attached descriptive document) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <700> Company Price Offerings (voice) (complete attached worksheet) | <input type="checkbox"/> | |
| <710> Company Price Offerings (broadband) (complete attached worksheet) | <input type="checkbox"/> | |
| <800> Operating Companies and Affiliates (complete attached worksheet) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <900> Tribal Land Offerings (Y/N)? (if yes, complete attached worksheet) | <input checked="" type="checkbox"/> | |
| <1000> Voice Services Rate Comparability (check to indicate certification) | <input type="checkbox"/> | |
| <1010> (attach descriptive document) | <input type="checkbox"/> | |
| <1100> Terrestrial Backhaul (Y/N)? (if not, check to indicate certification) | <input checked="" type="checkbox"/> | |
| <1110> (complete attached worksheet) | <input type="checkbox"/> | |
| <1200> Terms and Condition for Lifeline Customers (complete attached worksheet) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

| | | |
|--------|-----------------------------------|--|
| <2000> | (check to indicate certification) | |
| <2005> | (complete attached worksheet) | |

Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet

| | | |
|--------|-----------------------------------|--|
| <3000> | (check to indicate certification) | |
| <3005> | (complete attached worksheet) | |

**(100) Service Quality Improvement Reporting
Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

| | | |
|--|---|--|
| <010> | Study Area Code | 381607 |
| <015> | Study Area Name | CONSOLIDATED TELCOM |
| <020> | Program Year | 2014 |
| <030> | Contact Name - Person USAC should contact regarding this data | Ken Weisenberger |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |
| <110> | Has your company received its ETC certification from the FCC? | (yes / no) <input type="radio"/> <input checked="" type="radio"/> |
| If your answer to Line <110> is yes, do you have an existing §54.202(a) "5 | | |
| <111> | year plan" filed with the FCC? | (yes / no) <input type="radio"/> <input type="radio"/> |

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.

Name of Attached Document (.pdf)

Please check these boxes below to confirm that the attached PDF, on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.

<113> Maps detailing progress towards meeting plan targets
 <114> Report how much universal service (USF) support was received
 <115> How (USF) was used to improve service quality
 <116> How (USF) was used to improve service coverage
 <117> How (USF) was used to improve service capacity
 <118> Provide an explanation of network improvement targets not met in the prior calendar year.

| | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

[illegible]

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|-------|--|----------|
| <701> | Residential Local Service Charge Effective Date | 1/1/2013 |
| <702> | Single State-wide Residential Local Service Charge | |

[illegible]

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|-------|---|--------------------------------|
| <010> | Study Area Code | 381607 |
| <015> | Study Area Name | CONSOLIDATED TELCOM |
| <020> | Program Year | 2014 |
| <030> | Contact Name - Person USAC should contact regarding this data | Ken Weisenberger |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |
| <810> | Reporting Carrier | Consolidated Telecom |
| <811> | Holding Company | Consolidated Enterprises, Inc. |
| <812> | Operating Company | Consolidated Telcom |

[illegible]

| | |
|--|--|
| (900) Tribal Lands Reporting Data Collection Form | FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013 |
|--|--|

| | | |
|-------|---|----------------------------|
| <010> | Study Area Code | 381607 |
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| <020> | Program Year | 2014 |
| <030> | Contact Name - Person USAC should contact regarding this data | Ken Weisenberger |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |

<910> Tribal Land(s) on which ETC Serves Three Affiliated Tribes

<920> Tribal Government Engagement Obligation

381607nd920

Name of Attached Document (.pdf)

If your company serves Tribal lands, please select (Yes,No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

- <921> Needs assessment and deployment planning with a focus on Tribal community anchor institutions;
- <922> Feasibility and sustainability planning;
- <923> Marketing services in a culturally sensitive manner;
- <924> Compliance with Rights of way processes
- <925> Compliance with Land Use permitting requirements
- <926> Compliance with Facilities Siting rules
- <927> Compliance with Environmental Review processes
- <928> Compliance with Cultural Preservation review processes
- <929> Compliance with Tribal Business and Licensing requirements.

| |
|---------------------------|
| Select (Yes,No, NA) |
| Yes |
| |
| Yes |
| Yes |
| Yes |
| Yes |
| Yes |
| Yes |
| Yes |

| | |
|--|--|
| (1100) No Terrestrial Backhaul Reporting Data Collection Form | FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013 |
|--|--|

| | | |
|-------|---|----------------------------|
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| <015> | Study Area Name | CONSOLIDATED TELCOM |
| <020> | Program Year | 2014 |
| <030> | Contact Name - Person USAC should contact regarding this data | Ken Weisenberger |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |

<1120> Please check this box to confirm no terrestrial backhaul options exist within the supported area pursuant to § 54.313(G)
 ☐

<1130> Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G)
 ☐

| | | |
|--|--|---|
| (1200) Terms and Condition for Lifeline Customers | | FCC Form 481 |
| Lifeline | | OMB Control No. 3060-0986/OMB Control No. 3060-0819 |
| Data Collection Form | | July 2013 |

| | | |
|-------|---|----------------------------|
| <010> | Study Area Code | 381607 |
| <015> | Study Area Name | CONSOLIDATED TELCOM |
| <020> | Program Year | 2014 |
| <030> | Contact Name - Person USAC should contact regarding this data | Ken Weisenberger |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

Name of attached document (.pdf)

<1220> Link to Public Website

HTTP http://www.ctctel.com/telephone_lifeline.asp

"Please check these boxes below to confirm that the attached PDF, on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, ☒

<1222> Details on the number of minutes provided as part of the plan, ☒

<1223> Additional charges for toll calls, and rates for each such plan. ☒

(2000) Price Cap Carrier Additional Documentation

Data Collection Form

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

| | | |
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| <020> | Program Year | 2014 |
| <030> | Contact Name - Person USAC should contact regarding this data | Ken Weisenberger |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |

CHECK the boxes below to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.

Incremental Connect America Phase I reporting

- <2010> 2nd Year Certification {47 CFR § 54.313(b)(1)}
- <2011> 3rd Year Certification {47 CFR § 54.313(b)(2)}

| |
|--|
| |
| |

Price Cap Carrier Receiving Frozen Support Certification {47 CFR § 54.312(a)}

- <2012> 2013 Frozen Support Certification
- <2013> 2014 Frozen Support Certification
- <2014> 2015 Frozen Support Certification
- <2015> 2016 and future Frozen Support Certification

| |
|--|
| |
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Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}

- <2016> Certification Support Used to Build Broadband

| |
|--|
| |
|--|

Connect America Phase II Reporting {47 CFR § 54.313(e)}

- <2017> 3rd year Broadband Service Certification
- <2018> 5th year Broadband Service Certification
- <2019> Interim Progress Certification
- <2020> Please check the box to confirm that the attached PDF , on line 2021, contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.
- <2021> Interim Progress Community Anchor Institutions

| |
|--|
| |
| |
| |
| |

Name of Attached Document Listing Required Information

| | |
|--|--|
| (3000) Rate Of Return Carrier Additional Documentation Data Collection Form | FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013 |
|--|--|

| | | |
|--------------------|---|----------------------------|
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| <020> | Program Year | 2014 |
| <030> | Contact Name - Person USAC should contact regarding this data | Ken Weisenberger |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |

CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

Progress Report on 5 Year Plan

| | | |
|--|--|--|
| (3010) Milestone Certification {47 CFR § 54.313(f)(1)(i)} Please check this box to confirm that the attached PDF, on line 3012, contains the required information pursuant to § 54.313 (f)(1)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year. | Name of Attached Document Listing Required Information | <input style="width: 100px; height: 15px;" type="text"/> |
| (3012) Community Anchor Institutions {47 CFR § 54.313(f)(1)(ii)} (3013) Is your company a Privately Held ROR Carrier {47 CFR § 54.313(f)(2)} (3014) If yes, does your company file the RUS annual report Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires: | Name of Attached Document Listing Required Information | <input checked="" type="checkbox"/> (Yes/No) <input checked="" type="checkbox"/> (Yes/No) |
| (3015) Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers) (3016) PDF of Balance Sheet, Income Statement and Statement of Cash Flows | Name of Attached Document Listing Required Information | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> |
| (3017) If the response is yes on line 3014, attach your company's RUS annual report and all required documentation (3018) If the response is no on line 3014, Is your company audited? If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains : | Name of Attached Document Listing Required Information | 381607nd3017 <input type="checkbox"/> (Yes/No) |
| (3019) Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications (3020) PDF of Balance Sheet, Income Statement and Statement of Cash Flows | Name of Attached Document Listing Required Information | <input type="checkbox"/> <input type="checkbox"/> |
| (3021) Management letter issued by the independent certified public accountant that performed the company's financial audit. If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains: Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers, | Name of Attached Document Listing Required Information | <input type="checkbox"/> <input type="checkbox"/> |
| (3022) Underlying information subjected to a review by an independent certified public accountant (3023) Underlying information subjected to an officer certification. (3024) PDF of Balance Sheet, Income Statement and Statement of Cash Flows | Name of Attached Document Listing Required Information | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| (3025) Attach the worksheet listing required information (3026) | Name of Attached Document Listing Required Information | <input type="text"/> |

| | |
|---|--|
| Certification - Reporting Carrier Data Collection Form | FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013 |
|---|--|

| | | |
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| <020> | Program Year | 2014 |
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| <035> | Contact Telephone Number - Number of person identified in data line <030> | 7014837376 |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |

TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

| Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients | |
|---|--------------------------------|
| I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate. | |
| Name of Reporting Carrier: | |
| Signature of Authorized Officer: | Date |
| Printed name of Authorized Officer: | |
| Title or position of Authorized Officer: | |
| Telephone number of Authorized Officer: | |
| Study Area Code of Reporting Carrier: | Filing Due Date for this form: |
| Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001. | |

| | |
|---|--|
| Certification - Agent / Carrier Data Collection Form | FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013 |
|---|--|

| | |
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| <010> Study Area Code | 381607 |
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| <039> Contact Email Address - Email Address of person identified in data line <030> | ken@consolidatedtelcom.com |

TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:

| | |
|--|--|
| Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier | |
| I certify that (Name of Agent) <u>Ken Weisenberger</u> is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate. | |
| Name of Authorized Agent: | Ken Weisenberger |
| Name of Reporting Carrier: | CONSOLIDATED TELCOM |
| Signature of Authorized Officer: | CERTIFIED ONLINE Date: 10/11/2013 |
| Printed name of Authorized Officer: | Ken Weisenberger |
| Title or position of Authorized Officer: | Chief Financial Officer |
| Telephone number of Authorized Officer: | 701-483-7376 |
| Study Area Code of Reporting Carrier: | 381607 Filing Due Date for this form: 10/15/2013 |
| Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001. | |

TO BE COMPLETED BY THE AUTHORIZED AGENT:

| | |
|--|--|
| Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier | |
| I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate. | |
| Name of Reporting Carrier: | CONSOLIDATED TELCOM |
| Name of Authorized Agent or Employee of Agent: | John Staurulakis, Inc. |
| Signature of Authorized Agent or Employee of Agent: | CERTIFIED ONLINE Date: 10/11/2013 |
| Printed name of Authorized Agent or Employee of Agent: | Cassandra Heyne |
| Title or position of Authorized Agent or Employee of Agent: | Senior Analyst |
| Telephone number of Authorized Agent or Employee of Agent: | 3014597590 |
| Study Area Code of Reporting Carrier: | 381607 Filing Due Date for this form: 10/15/2013 |
| Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001. | |

Attachments

Data Collection Form

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

| | | |
|-------|---|--------------------------------|
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| <810> | Reporting Carrier | Consolidated Telecom |
| <811> | Holding Company | Consolidated Enterprises, Inc. |
| <812> | Operating Company | Consolidated Telcom |

[illegible]

CONSOLIDATED TELCOM
SAC: 381607

Unfulfilled Requests - Calendar Year - 2012

| REF | CUSTOMER NAME | DESCRIPTION OF SERVICE REQUESTED | SERVICE REQUESTED (✓ ALL APPLICABLE TO UNFULFILLED REQUEST) | | BROADBAND SPEED REQUESTED | DESCRIBE HOW CARRIER ATTEMPTED TO PROVIDE SERVICE |
|-----|---------------|----------------------------------|---|-------|---------------------------|--|
| | | | BROADBAND | VOICE | | |
| 1 | ██████████ | fiber | x | | 12mg | pending easements |
| 2 | ██████████ | fiber | | x | | needed bore permit from Bowman County |
| 3 | ██████████ | fiber | x | x | 20 mg | needed bore permit from Bowman County |
| 4 | ██████████ | fiber | | x | | pending easements |
| 5 | ██████████ | fiber | | x | | pending easements |
| 6 | ██████████ | fiber | x | x | 20mg | requested too late in year for construction to happen |
| 7 | ██████████ | fiber | x | x | 20mg | basement constructed mid-November, too late for construction |
| 8 | ██████████ | fiber | x | x | 20mg | converting old barn into a lodge/hunting house - entered into program in Sept. - ran out of time to get this one done. |
| 9 | ██████████ | fiber | | x | | new modular, requested 11/26 - too late for construction |
| 10 | ██████████ | copper | x | x | 20mg | pending easements |
| 11 | ██████████ | copper | x | x | 20 mg | customer hasn't paid or signed contract |
| 12 | ██████████ | copper | x | x | 12 mg | requested to house that had a bad copper splice on 11/28 - too late for construction to plow in new copper drop |
| 13 | ██████████ | copper | | x | | pending easements |

CONSOLIDATED TELCOM

SAC: 381607

Unfulfilled Requests - Calendar Year - 2012

| REF | CUSTOMER NAME | DESCRIPTION OF SERVICE REQUESTED | SERVICE REQUESTED (✓ ALL APPLICABLE TO UNFULFILLED REQUEST) | | BROADBAND SPEED REQUESTED | DESCRIBE HOW CARRIER ATTEMPTED TO PROVIDE SERVICE |
|-----|----------------|----------------------------------|---|-------|---------------------------|--|
| | | | BROADBAND | VOICE | | |
| 14 | ██████ | fiber | x | x | | pending easements |
| 15 | ██████ | fiber | x | x | 20mg | house not complete, hasn't returned the contract/payment |
| 16 | ██████████████ | copper | x | x | 20mg | new home, requested service on 9/12/12, acquired easements 9/24/12, ran out of time to get this one done |
| 17 | ██████ | copper | | x | | new home, requested service on 10/2/12 - to late for construction to get this one done. |
| | | | | | | |

47 CFR §54.313 (a)(3)

Consolidated Telcom's Demonstration of Compliance with Applicable Service Quality Standards and Consumer Protection Rules:

In establishing this certification in its *2005 ETC Order*,¹ the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”² The FCC found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement” and that the sufficiency of other commitments would be considered on a case-by-case basis.³ In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”⁴

Consolidated Telcom (“Company”) hereby certifies that it is complying with applicable service quality standards and consumer protection rules. The Company is subject to consumer protection obligations under federal law and, to a limited extent under North Dakota state law as a telecommunications carrier subject to North Dakota Public Service Commission regulation. These obligations include, but are not limited to, the following: (1) adherence to state requirements that the Company complies with consumer protection and service quality standards pursuant to North Dakota Administrative Code Article 69, including customer requests for lowest price service

¹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

² *Id.* at para. 28.

³ *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

⁴ *Id.* at n. 72.

alternatives (69-09-05-01), discontinuance of telecommunications services (69-09-05-02), deposits and guarantees (69-09-05-03); (2) truth-in-billing requirements, and (3) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

Consolidated Telcom's Demonstration of Ability to Function in Emergency Situations

Consolidated Telecom hereby certifies that it is able to function in emergency situations as set forth in §54.202(a)(2)¹ and North Dakota Administrative Code 69-09-05-12. The Company's network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow the Company to manage traffic spikes throughout its network, as emergency situations require.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. The Company's central office can maintain 8 hours, plus or minus 15 percent, of battery reserve rated for peak traffic load requirements, and a permanent auxiliary power unit is installed. The Company has battery backup at all office locations and in its electronic equipment sites capable of running for a minimum of 8 hours, plus or minus 15 percent. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all Central Office

¹ Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

locations. They will continue to run as long as the Company has access to fuel. The Company tests the batteries at least once per year.

ETC Annual Reporting Requirements 47 CFR §54.313(a)(9) – ETCs Serving Tribal Lands

Section 54.313(a)(9) of the rules of the Federal Communications Commission (“FCC”) requires Consolidated Telcom (“The Company”), SAC 381607, to provide documents and information regarding discussions that The Company had with Tribal governments located within The Company’s service area. The Company certifies that it followed the guidance outlined in the FCC’s July 19, 2012 Public Notice¹ wherein the FCC issued guidance on the Tribal government engagement obligation provisions of the Connect America Fund.

Section 1: Company and Tribal Information

The Company is a state-designated ETC serving Tribally-owned lands in North Dakota. The Tribally-owned lands are in Twin Buttes, North Dakota, and belong to the Three Affiliated Tribes. The Company serves approximately 83 square miles of Tribal land and this area has approximately 77 residences and 18 businesses. Population is estimated at less than 250 for the Tribal lands served by The Company.

As of December 31, 2012, The Company provides voice telephone service to 54% of the residences and 56% of the businesses in this Tribally-owned area. The Company provides broadband service to 44% of the residences and 56% of the businesses in this Tribally-owned area. The Company recently over-built the tribal lands served with FTTH. All main lines and drops were completed in 2012. Cut-over to the new facilities began in April 2013.

The Company initiated the engagement process outlined in the *Further Guidance* in 2012. The Company first contacted Tribal leaders in October 2012 by letter about the Tribal engagement process. The following employee(s) participated in the Tribal engagement:

| | | |
|--------|--------------------------------|---------|
| Name: | <u>Bryan W. Personne</u> | <u></u> |
| Title: | <u>Chief Operating Officer</u> | <u></u> |

The Company successfully contacted the following individual/s:

| | |
|---------------------|---|
| Name: | <u>Melissa Star</u> |
| Title: | <u>Executive Assistant to the Tribal Chairman and Regional Councilman</u> |
| Tribal Affiliation: | <u>Three Affiliated Tribes</u> |
| Address: | <u>704C 79E. Ave. NW</u> |
| | <u>Twin Buttes, ND 58636</u> |
| Email Address: | <u>Unknown</u> |
| Telephone Number: | <u>701-938-4403</u> |

¹ See Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Government Engagement Obligation Provisions of the Connect America Fund, Public Notice, DA 12-1165, WC Docket Nos. 10-90 et al. (July 19, 2012) (“*Further Guidance*”)

ETC Annual Reporting Requirements 47 CFR §54.313(a)(9) – ETCs Serving Tribal Lands**Section 2: 54.313(a)(9)(i) A Needs Assessment and Deployment Planning**

In October 2012 the Company sent a letter to Tribal authorities for our service area regarding the engagement process. On December 12, 2012, the Company had a conference call with Melissa Star, Executive Assistant to the Tribal Chairman and Regional Councilman. She represented that she was the contact for this type of issue for the area we serve and that she would relay all the information discussed at the next district meeting. We discussed the status of the FTTH overbuild of the Tribal lands served. All mainline and drops were complete as of the date of the conference, with cutover to new facilities to begin in early 2013 after testing of the new facilities was completed. Explanation new services that will be available, in addition to Telephone service, on the FTTH facilities: Broadband and Video. No known issues with service today or current marketing techniques used were identified. Future contact with the Tribal representative to occur once FTTH cut over begins to discuss ways to market so higher penetration levels are achieved and to make sure Tribal customers are aware of the new services available. Company provided Ms. Star direct contact information for Bryan W. Personne, Chief Operating Officer of Consolidated Telcom, should any issues arise. Ms. Star indicated there was no need to contact anyone else in the Tribal government regarding the engagement process as she was the responsible party for our service area and would relay the information to other Tribal leaders.

Section 3: 54.313(a)(9)(ii) Feasibility and Sustainability Planning

No known feasibility and sustainability challenges identified in the December 12, 2012, conference with the Tribal representative. The Company believes the only feasibility and sustainability challenges faced are related to the uncertainty surrounding USF and Intercarrier Compensation.

Section 4: 54.313(a)(9)(iii) Marketing Services in a Culturally Sensitive Manner

No known problems with current marketing techniques were identified in the December 12, 2012, conference with the Tribal representative. Future contact with Tribal representative to occur once FTTH cut over begins to discuss ways to market so higher penetration levels are achieved and to make sure Tribal customers are aware of the new services available.

ETC Annual Reporting Requirements 47 CFR §54.313(a)(9) – ETCs Serving Tribal Lands**Section 5: 54.313(a)(9)(iv) Rights of Way Processes, Land Use Permitting, Facilities Siting, Environmental and Cultural Preservation Review Processes**

No known land use issues were identified in the December 12, 2012, conference with the Tribal representative. The Company uses professional engineering services to ensure that design and work on Tribal lands is done in accordance with Tribal land use procedures and requirements.

Section 6: 54.313(a)(9)(v) Compliance with Tribal Business Licensing Requirements

No known business licensing issues were identified in the December 12, 2012, conference with the Tribal representative. The Company uses professional engineering services to ensure that design and work on Tribal lands is done in accordance with Tribal licensing procedures and requirements.

Section 7: Contact Summary

| Date | Contact Type (In-person, phone, email, etc.) | Employee Contact | Tribal Contact | Successful Attempt? (Yes/No) |
|----------|---|-------------------|----------------|------------------------------------|
| 12/12/12 | Telephone | Bryan W. Personne | Melissa Star | Yes |
| | | | | |
| | | | | |
| | | | | |

REDACTED – FOR PUBLIC INSPECTION

CONSOLIDATED TELCOM (SAC 381607)

ATTACHMENT - LINE 3017

ATTACHMENT REDACTED IN ENTIRETY